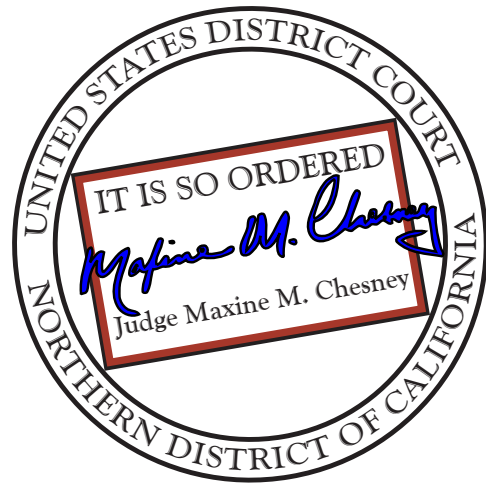


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Dated: September 27, 2012

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT VON MERTA, individually and as  
successor in interest, heir, beneficiary, personal  
representative and/or administrator to  
BARBARA ANN VON MERTA, deceased,  
and the Estate of BARBARA ANN VON  
MERTA, on Behalf of Himself and All Others  
Similarly Situated,

Plaintiff,

v.

Allstate LIFE INSURANCE COMPANY, an  
Illinois corporation,

Defendant.

Case No. CV 12 4125 MMC

**DEFENDANT ALLSTATE LIFE  
INSURANCE COMPANY'S NOTICE  
OF WITHDRAWAL OF MOTION TO  
DISMISS CLASS ACTION  
COMPLAINT AND MOTION TO  
STRIKE**

Date: October 19, 2012

Time: 9:00 a.m.

Judge: Hon. Maxine Chesney

Date Action Filed: August 6, 2012

TO ALL PARTIES AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Defendant ALLSTATE LIFE INSURANCE  
COMPANY hereby withdraws its Motion to Dismiss Class Action Complaint and Motion to  
Strike since Plaintiff ROBERT VON MERTA filed his First Amended Complaint on September  
20, 2012.

DATED: September 27, 2012

SEYFARTH SHAW LLP

By: \_\_\_\_\_/s/

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